

*Defense Proposal*

## A BILL

*March 5, 1959*

To amend further the Missing Persons Act, as amended.

1 Be it enacted by the Senate and House of Representatives  
2 of the United States of America in Congress assembled, That  
3 the Missing Persons Act (56 Stat. 143), as amended, is further  
4 amended as follows:

5 (a) Section 1(a)(3) is amended to read:

6 "(3) Civilian officers and employees of the de-  
7 partments during such time as they may be assigned for  
8 duty of <sup>?</sup>serving outside the continental limits of the  
9 United States or in Alaska, except that part-time  
10 employees, intermittent employees, and persons who are  
11 residents of their places of employment in the  
12 Territories and possessions or in foreign countries,  
13 shall be included only upon a determination by the  
14 head of the department concerned that the status of  
15 missing, missing in action, interned in a foreign  
16 country, captured by a hostile force, beleaguered by  
17 a hostile force, or besieged by a hostile force, with-  
18 in the meaning of section 2 of this Act, was the prox-  
19 imate result of employment by the department."

20 (b) Section 2 is amended to read:

21 "SEC. 2. Any person who is a member of the armed forces of the United States and who is missing in action, interned in a foreign country, captured by a hostile force, beleaguered by a hostile force, or besieged by a hostile force, within the meaning of section 2 of this Act, was the proximate result of employment by the department."

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1 and who is officially determined to be absent in a  
2 status of missing, missing in action, interned in a  
3 foreign country, captured by a hostile force, belea-  
4 guered[by a hostile force] or besieged[by a hostile  
5 force]shall, for the period he is officially carried  
6 or determined to be in any such status, be entitled to  
7 receive or to have credited to his account the same  
8 pay and allowances to which he was entitled at the  
9 beginning of such period of absence or may become  
10 entitled thereafter, and entitlement to pay and allow-  
11 ances shall terminate upon the date of receipt by the  
12 department concerned of evidence that the person is  
13 dead or upon the date of death prescribed or deter-  
14 mined under provisions of section 5 of this Act:  
15 Provided, That such entitlement to pay and allowances  
16 shall not terminate upon expiration of term of service  
17 during absence and in case of death during absence  
18 shall not terminate earlier than the dates herein pre-  
19 scribed: Provided further, That there shall be no en-  
20 titlement to pay and allowances for any period during  
21 which such person may be officially determined absent  
22 from his post of duty without authority and he shall  
23 be indebted to the Government for any payments from  
24 amounts credited to his account for such period."

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1 (c) ✓ Section 6 is amended to read:

2 "SEC. 6. When it is officially reported by the  
3 head of the department concerned that a person missing  
4 under the conditions specified in section 2 of this  
5 Act is alive and in the hands of a hostile force or  
6 is interned in a foreign country, the payments author-  
7 ized by section 3 of this Act are, subject to the pro-  
8 visions of section 2 of this Act, authorized to be  
9 made for a period not to extend beyond the date of the  
10 receipt by the head of the department concerned of  
11 evidence that the missing person is dead or has re-  
12 turned to the controllable jurisdiction of the depart-  
13 ment concerned. When a person missing or missing in  
14 action is continued in a missing status under section  
15 5 of this Act, such person shall continue to be en-  
16 titled to have pay and allowances credited as provided  
17 in section 2 of this Act and payments of allotments,  
18 as provided in section 3 of this Act, are authorized  
19 to be continued, increased, or initiated."

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20 (d) ✓ The first proviso of section 9 is amended to read:

21 "Provided, That no such account shall be charged  
22 or debited with any amount that any person in the  
23 hands of a hostile force may receive or be entitled to  
24 receive from, or have placed to his credit by, such  
25 hostile force as pay, wages, allowances, or other com-  
26 pensation:"

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1 (e) Section 12 is amended to read

2 "SEC. 12. The dependents and household and personal  
3 effects of any person in active service (without re-  
4 gard to pay grade) who is officially reported as dead,  
5 injured, missing for a period of thirty days or more,  
6 interned in a foreign country, or captured by a hostile  
7 force, may be moved (including packing and unpacking  
8 of household effects) to the official residence of  
9 record for any such person, or, upon application by  
10 such dependents, next of kin, or such other persons who  
11 may have a substantive interest in the return of the  
12 household and personal effects, or upon the persons  
13 own application if injured, to such other location as  
14 may be determined in advance or subsequently approved  
15 by the head of the department concerned or by such  
16 persons as he may designate. The head of the department  
17 concerned is authorized to store the household and  
18 personal effects of the person until such time as proper  
19 disposition can be made. The cost of such storage and  
20 transportation, including packing and unpacking of  
21 household effects, shall be charged against appropri-  
22 ations currently available. In lieu of transportation  
23 authorized by this section for dependents, the head of  
24 the department concerned may authorize the payment in

1 money of amounts equal to such commercial transpor-  
2 tation costs or a mileage allowance as authorized by  
3 law for the whole or such part of travel for which  
4 transportation in kind is not furnished, when such  
5 travel shall have been completed. When the person  
6 is in an 'injured' status, the movement of dependents  
7 or household and personal effects provided for herein  
8 may be authorized only in cases where the anticipated  
9 period of hospitalization or treatment will be of pro-  
10 longed duration. No transportation shall be authorized  
11 pursuant to this section upon application by dependents  
12 unless a reasonable relationship exists between the  
13 condition and circumstances of the dependents and the  
14 destination to which transportation is requested.  
15 Beginning June 25, 1950, and for the purposes of this  
16 section only, the terms 'household and personal effects'  
17 and 'household effects' may include, in addition to  
18 other authorized weight allowances, not to exceed one  
19 privately owned motor vehicle, shipment of which at  
20 Government expense is authorized in those cases where  
21 the vehicle is located outside the continental limits  
22 of the United States or in Alaska."

23 (f) Section 14 is amended to read:

24 "SEC. 14. The provisions of this Act applicable

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1 to persons captured by a hostile force shall also  
2 apply to any person beleaguered or besieged by a  
3 hostile force."

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4 (g) Section 15 is amended to read:

5 "SEC. 15. This Act, except sections 13, 16, 17,  
6 and 18, is effective from June 24, 1948."

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